

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DENISE BURTOFT,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-488
)	
THE PRUDENTIAL INSURANCE)	
COMPANY OF AMERICA,)	
MEDCO CONTAINMENT SERVICES, INC.,)	
MERCK-MEDCO MANAGEMENT CARE, L.L.C.,)	
)	
Defendants.)	

ORDER

AND NOW, this 27th day of February, 2006, after the plaintiff, Denise Burtoft, filed an action in the above-captioned case, and after a Motion for Summary Judgment was submitted by defendants, Medco Containment Services, Inc. and Merck-Medco Management Care, L.L.C., and a Motion for Summary Judgment was submitted by the plaintiff, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and no objections having been filed, and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS ORDERED that defendants' Motion for Summary Judgment [Docket No. 21] is GRANTED and the plaintiff's Motion for Summary Judgment [Docket No. 28] is DISMISSED as moot.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order she must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.

BY THE COURT:

s/ Terrence F. McVerry
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

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